

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Docket No. 067286/204**

In re patent application of:

James C. KENNEDY et al.

Serial No. 09/293,835

Group Art Unit: 1754

Examiner: not assigned yet

Filed: April 19, 1999

For: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINOLEVULINIC ACID  
AND OTHER PRECURSORS THEREOF

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

**CONCISE EXPLANATION OF**  
**RELEVANCE OF EACH DOCUMENT**

Applicants are submitting herewith on Form PTO-1449, a listing of the documents cited by or submitted to the Patent Office in parent application Serial No. 08/465,242, filed June 5, 1995. The relevance of these documents is explained in the parent application.

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As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 08/465,242 filed June 5, 1995.

Since this Information Disclosure Statement is being filed in compliance with 37 C.F.R. § 1.97(b) before the mailing of the first office action on the merits, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialized copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,



Reg. No. 42,822

for  
Sybil Meloy  
Reg. No. 22,749

July 29, 1999  
Date

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AM PTO 1449 (modified)			ATTY DOCKET NO. 67286/136/DEUS	SERIAL NO. 08/465,242			
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			APPLICANT James C. KENNEDY et al.				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)			FILING DATE June 6, 1995	GROUP Unassigned			
Date Submitted to PTO: December 6, 1995							
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	C1	Boehncke et al.	TREATMENT OF PSORIASIS BY TOPICAL PHOTODYNAMIC THERAPY WITH POLYCHROMATIC LIGHT.				
			The Lancet, 343:801, March 1994				
	C2	Fukuda et al.	PHOTODYNAMIC ACTION OF ENDOGENOUSLY SYNTHESIZED PORPHYRINS FROM AMINOLEVULINIC....				
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	C3	Loh et al.	ENDOGENOUS PORPHYRIN DISTRIBUTION-INDUCED BY 5-AMINOLEVULINIC ACID....				
			J. Photochem. Photobiol., 20:47-54, 1993				
	C4	van der Veen, et al.	IN VIVO FLUORESCENCE KINETICS AND PHOTODYNAMIC THERAPY USING 5-AMINOLEVULINIC....				
			Br. J. Cancer, 70:867-72, 1994				
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			Br. J. Cancer, 70:72-78, 1994				
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Date Submitted to PTO: November 15, 1995							
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B1	5,211,938	05/18/93	KENNEDY et al.	424	7.1	10/28/91
	B2	5,219,878	06/15/93	RINGUELET et al.	514	414	12/16/91
				JUL 29 1993 PATENT & TRADEMARK OFFICE RECEIVED JUL 30 1993 TC 1700 MAIL ROOM			
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	B3	RUBINO et al.	"Porphyrin Metabolism In Human Neoplastic Tissues", Panminerva Medica, pp. 290-92				
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,163,990	11/92	REBEIZ	71	70	
	A2	5,200,427	04/93	REBEIZ et al.	514	661	
	A3	5,079,262	01/92	KENNEDY et al.	514	561	
	A4	5,234,940	08/93	KENNEDY et al.	514	410	
	A5	4,772,681	09/88	FUKUDA et al.	640	145	
	A6	4,877,177	12/90	BOMMER et al.	514	410	
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	A11	5,425,728	06/95	TANKOVICH	606	9	
	A12	5,226,907	07/93	TANKOVICH	606	133	
	A13	5,423,803	06/95	TANKOVICH et al.	606	9	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	A14	0 233 701	08/87	EUROPE			<del>MAIL</del>
	A15	95/07077	03/95	WIPO			<del>MAIL</del>
	A16	93/08715	05/93	WIPO			<del>MAIL</del>
	A17	91/01727	02/91	WIPO			<del>MAIL</del>
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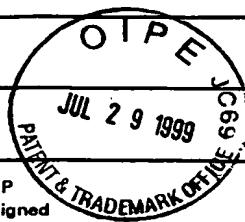
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	A19	QIAN et al., "A Comparison Of Different Photosensitizing Dyes With Respect To Uptake C3H-Tumors and Tissues Of Mice", <i>Cancer Letts.</i> , Vol. 36:1-10, (1987)	
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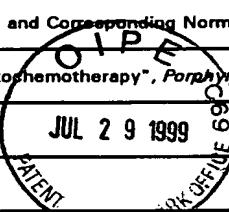
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